

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.1
Eastern Division**

Christina Moyer

Plaintiff,

v.

Case No.: 1:14-cv-00561

Honorable Elaine E. Bucklo

Michaels Stores Inc.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, April 16, 2014:

MINUTE entry before the Honorable Elaine E. Bucklo: Scheduling conference held on 4/16/2014. Motion hearing held on 4/16/2014 regarding motion to stay, motion for protective order [35], motion to consolidate cases, motion to reassign case [31], motion to consolidate cases [25], motion to reassign case [16], motion for miscellaneous relief [37]. Various movants' uncontested motions to reassign and consolidate cases pursuant to local Rule 40.4 and Fed. R. Civ. P. 42(a)(2) [16], [25], [31] are granted. Moyer is the lowest numbered case of several related cases in the Northern District of Illinois. They include Ripes v. Michaels Stores, Inc., No. 14-1827; Gousens v Michaels Stores, Inc., 14 C 648; and Maize v. Michaels Stores, Inc., 14 C 1229. The cases meet the requirements of Rule 40.4, in that the four cases involve some of the same issues of fact or law, grow out of the same transaction or occurrence, involve the same classes. All cases are in the beginning stages and consolidation will likely result in a substantial saving of judicial time and effort. They are also susceptible of disposition in a single proceeding. I also grant plaintiffs' agreed motion [37] for designation of lead counsel. Plaintiffs are given until 5/7/2014 to file their amended complaint. Defendants are given until 5/28/2014 to answer or otherwise plead. Plaintiffs have until 6/18/2014 to respond, and defendants until 7/2/2014 to reply. Ruling is set for 7/17/2014 at 9:30 a.m. Defendant's motion to stay pending ruling on an MDL filing [35] is denied as premature. At this juncture, no other cases involving the same subject matter have been filed in any other jurisdiction. Defendant's further motion for a protective order [35] is denied, without prejudice. As I understand defendant's motion, it is based on its belief that this court will ultimately conclude that plaintiffs have suffered no injury and therefore have no standing to bring their claims. While I may ultimately agree with defendant, I have read the authority cited by defendant, including the Supreme Court's decision in Clapper v. Amnesty International USA, 133 S. Ct. 1138 (2013), and do not think it is clear that plaintiffs will not be able to proceed. I do not, however, have the specific discovery requests before me and therefore cannot say whether at this stage it is necessary or appropriate. If defendant wishes to bring a more specific motion for a protective order, I will consider it. Plaintiff Christina Moyer's Motion for leave to file additional appearance of Christopher V. Langone [41] is granted. No appearance is required on 4/29/2014. Mailed notice (jdh)

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